

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
Fort Worth DIVISION

HONORABLE Terry R. Means PRESIDING COURT REPORTER/TAPE: Debbie Saenz  
DEPUTY CLERK Michelle Moon USPO Angela French  
LAW CLERK INTERPRETER

CR. No. 4:20-CR-269-Y DEFT. No. (1)

UNITED STATES OF AMERICA § Errin Martin and Joe Lo Galbo, AUSA  
v. §  
§  
ERIC PRESCOTT KAY § Cody L. Cofer, (A)  
Defendant's Name § Counsel for Deft. Appt-(A), Retd-(R), FPD-(F)

SENTENCING

Date Held: 10-11-22  
Hearing Type: ☒ Sentencing Hearing - Contested ☐ Sentencing Hearing - Non-Evidentiary  
Time in Court: 1 hr. 2 min.  
Trial Status: ☒ Completed by Jury Verdict ☐ Continued from Previous Month ☐ Directed Verdict ☐ Evidence Entered  
☐ Hung Jury ☐ Jury Selection Only, continued ☐ Jury Selection or Verdict Only (No Trial Before this Judge)  
☐ Mistrial ☐ Settled/Guilty Plea ☐ None  
Days in Trial: 7  
Hearing Concluded: ☒ Yes ☐ No

☒ Sentencing held. ☒ Objections to PSI heard. ☐ Plea agreement accepted. ☐ Plea agreement NOT accepted.  
☐ Sentencing Guidelines ☐ Departs Upward ☐ Departs Downward

SENTENCING TEXT:

- ☐ .. Deft. placed on: Probation for \_\_\_\_\_.
- ☒ .. Deft. committed to custody of the AG/BOP to be imprisoned for a TOTAL term of \_\_\_\_\_ see remarks below\*.
- ☒ .. Deft. placed on: Supervised Released for \_\_\_\_\_ see remarks below\*\*.
- ☐ .. Restitution ordered in the amount of \$ \_\_\_\_\_ and/or Fine imposed in the amount of \$ \_\_\_\_\_.
- ☒ .. Count(s) 1, 2 of indictment dismissed on government's motion.
- ☐ .. Order dismissing original Indictment/Information to be entered upon government's written motion.
- ☒ .. \$ 200.00 special assessment on Count(s) 1s, 2s  
of ☐ Complaint ☐ Indictment ☐ Information ☒ Superseding Indictment ☐ Superseding Information.
- ☐ .. Deft ordered to surrender to the designated institution on \_\_\_\_\_.
- ☐ .. Deft failed to appear, bench warrant to issue.
- ☐ .. Bond ☐ continued ☐ revoked
- ☒ .. Deft Advised of his right to appeal.
- ☐ .. Deft requests Clerk to enter notice of Appeal.
- ☐ .. Deft Custody/Detention continued.
- ☒ .. Deft REMANDED to custody. Court recommends incarceration at a facility within the state of California.

**FILED**

October 11, 2022

KAREN MITCHELL  
CLERK, U.S. DISTRICT  
COURT

OTHER PROCEEDINGS/INFORMATION: \*235 months on count 1s and 264 months on count 2s to run concurrently with count 1s, for an aggregate sentence of 264 months.

\*\*term of supervised release of 3 years on count 1s and 3 years on count 2s to run concurrently  
Govt. Exhibit 1 admitted.